



2624 #5

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Okie TANI

Application No.: 09/720,718

Filed: December 28, 2000

Group Art Unit: 2624

Docket No.: 108249

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Technology Center 2600

For: METHOD OF EXPRESSION RECORDING, REPRODUCTION AND
COMMUNICATIONS OF COMPUTER OBJECT USING COLOR, APPARATUS
FOR RECORDING AND/OR REPRODUCTION, RECORDING MEDIUM, AND
METHOD OF PREPARATION OF CODE

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AUG 18 2003

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

PETITION TO MAKE SPECIAL UNDER 37 CFR §1.102(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to MPEP §708.02 VIII, Applicant hereby petitions for an accelerated examination of the above-identified patent application, which has not been examined.

(A) Our Check No. 143801 in the amount of \$130.00 as the petition fee set forth in 37 CFR §1.17(h) is attached to this petition.

(B) All claims (claims 1-50) are directed to a single invention relating to: a method of expression, recording, reproduction, and communication of computer object using color; an apparatus for recording and/or reproduction; a recording medium; and a method of preparation of code.

(C) A pre-examination international search was made for PCT/JP00/003315. The PCT international classifications searched were G06K 1/12, 7/12, 19/06, G06C5/00.

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(D) Copies of each of the references deemed most closely related to the subject matter encompassed by the claims were previously submitted in an Information Disclosure Statement on December 28, 2000. A copy of Form PTO-1449 previously submitted on December 28, 2000; a copy of the August 15, 2000 International Search Report; and a separate English-language translation of claim 2 excerpted from JP A 57-161068 are attached.

(E) A detailed discussion patentably distinguishing the claims of the application from the references of the International Search Report follows.

- (i) JP A 8-96097 does not teach, disclose or suggest a computer object being expressed, recorded, reproduced, and/or transmitted by color or a color numerical value, as variously recited in claims 1-50 of the application. Instead, JP A 8-96097 relates to a color-separated detection of a color bar code. For JP A 8-96097, a bar code is recorded with colors. However, the decoding of the color bar code by JP A 8-96097 is still based on bar coding. JP A 8-96097 does not express a computer object by color or a color numerical value as claimed.
- (ii) Likewise, JP A 3-154181, JP A 57-161068 and JP A 9-152851 do not make up for the deficiencies of JP A 8-96097. Instead, JP A 3-154181 relates to a reader for optical read card having a deflected optical path; JP A 57-161068 relates to an optical reading device equipped with a plurality of optical filter plates; and JP A 9-152851 relates to an information transmission device in which bar-code information is displayed and read by a bar-code reader. The references, individually or in combination, do not teach, disclose or suggest the claimed features.
- (iii) The claimed invention is patentably distinguished from the references. The claimed invention uses color as a medium for expressing data or

information taking note of the characteristics of color. Rather, JP A 8-96097 and JP A 9-152851 generally deal with the bar code as the fundamental medium for expressing data or information. Likewise, the optical reading devices of JP A 3-154181 and JP A 57-161068 are unrelated to the claimed color expression of computer objects.

For at least these reasons, Applicant respectfully requests an accelerated examination of the application.

Respectfully submitted,



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JAO:RJK/vvr

Attachments:

English-language translation of claim 2 of
JP A 57-161068
Copy of December 28, 2000 PTO Form 1449
Copy of August 15, 2000 International
Search Report (English and Japanese)

Date: August 6, 2003

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